THE DAILY JOURNAL

FRIDAY FEBRUARY 12, 1897.

Washington Office--- 1503 Pennsylvania Avenue

Telephone Calls. Business office......238 | Editorial rooms...A 8 TERMS OF SUBSCRIPTION. DAILY BY MAIL Daily only, one month. only, three months .. including Sunday, one year... 2.00 WHEN FURNISHED BY AGENTS.

WEEKLY. Reduced Rates to Clubs. subscribe with any of our numerous agents or send subscriptions to the JOURNAL NEWSPAPER COMPANY,

Daily and Sunday, per week, by carrier 20 cts

Daily, per week, by carrier.....

Indianapolis, Ind. Persons sending the Journal through the mails in the United States should put on an eight-page paper a ONE-CENT postage stamp; on a twelve or sixteen-page paper a TWO-CENT postage stamp. Foreign postage is usually double these

All communications intended for publication in this paper must, in order to receive attention, be panied by the name and address of the

THE INDIANAPOLIS JOURNAL Can be found at the following places: NEW YORK-Windsor Hotel and Aster House,

CINCINNATI-J. R. Hawley & Co., 154 Vine LOUISVILLE-C. T. Deering, northwest corner Third and Jefferson streets, and Louisville ook Co., 256 Fourth avenue. ST. LOUIS-Union News Company, Union Depot.

Eighty-eight years ago to-day Abraham

Lincoln was born. He will never die.

but if Turkish rule continues and extends it may prove its grave. Is this a government by the people and

for the people, or is it a government by cor-

porations for corporations? country may have they should have a Lin-

coln day, which should be Feb. 12.

Fortunately, Senator Morgan was debarred by law from making a speech at the counting of the presidential vote. Otherwise the event might be delayed until March 4.

of the Legislature?

Nc. 61 is whether the city of Indianapolis has any rights that the Citizens' Streetrailroad Company is bound to respect.

For the good of the country it is hoped that the President-elect and his party in Congress may not drift into that antagonism which exists between Mr. Cleveland and the most of his party.

There is some law in Kentucky, after all A circuit judge has just decided that a hus a lawful right to whip his wife. In the matter of personal assaults the line must be drawn somewhere.

Whenever Tom Watson has been a Populist candid te in Georgia his votes have not been counted, but every vote cast for him for Vice President by the Electoral College was counted, and there were twenty-

The arbitration bill which the House is a start in the right direction, but it will not make the noisy, disturbing demagogue a back number, as one member predicted in his speech.

One analysis of the water at the Prison North makes it fit for drinking purposes, analyses were made by experts. Which correct? It would be well to determine before expending a large sum of money to bring water from the lake to the prison.

The official report regarding the National diers' Home at Marion shows that it one of the most admirably managed institutions. Its accommodations have been extended, but its general management be improved, since its officers of large experience and tried

the Senate yesterday. Briefly, it provides for converting the Southern prison into a reformatory prison, and provides machinery by which the plan can be carried out y slight expense. This will be genuine

The unanimous report of the House committee on the Prison South, commending the management of Warden Hert, should mark the beginning of a new era in the attitude of such committees toward public institutions. When an institution is wel gardless of partyism. If it is not, both

That the guards of a train in Mexico rob and robbers could get away with but a few dollars. It is a better argument for 50-cent dollars than are some which are made.

If Abraham Lincoln were living he would eighty-six years old to-day. There persons living who are older than this, and one cannot help speculating as to what Lincoln's place in history would by lived to that age instead of being cut off in the zenith of his fame. However, his placed is fixed, and nothing can affect tt. His birthday is a legal holiday in five States of the Union and will be appropriately observed in many cities.

One of our consuls in France writes the State Department that there is a market lumber, provided it be sawed in the manner preferred by French lumber dealers. That probably settles the question. The American manufacturer turns out goods to suit himself, not foreign buyers. English and German manufacturers are much wiser in this regard, and thereby get a great deal of foreign trade which Americans might have if they would adopt proper methods.

township trustees to "establish and mainpay for the tuition of pupils in some high | sessed the spirit of Lincoln, much that the

visions closer together. The Journal is not an expert in the wording of statutes, but it does seem that it would be clearer if the section should state distinctly that every township shall have the advantage of high school and to that end a township shall support such a school, or two or more townships, when practicable, may unite to establish such a one, and that in case the school revenues are not sufficient to warrant the separate maintenance of a high school, the tuition of pupils qualified to enter a high school shall be paid out of the township tuition funds.

A FIGHT FOR FRAUDULENT CAPI-TALIZATION.

The attorneys of the Citizens' Streetrailroad Company do not undertake to refute the points which are the strength of the case of the people of Indianapolis. They do not attempt to refute the statement that the present promoters of the company purchased the property and the franchise with the understanding that its contract with the city would end in 1991 if not in a year attempt to make it appear that the predecessors of the present managers tried to get a renewal of the franchise upon the assumption that it would end in 1901 at the CHICAGO-Palmer House and P. O. News Co., longest limit. They do not deny that this claim of perpetual right to occupy the streets of Indianapolis for nothing is a recent discovery and is made the pretext of their bad faith toward the city. They do not deny that the company's lobby was in WASHINGTON, D. C.—Riggs House, Ebbitt House, Willard's Hotel and the Washington News Exchange, Fourteenth street, between Pena. avenue and F street. they exclusively occupy. They will not go so far as to pledge that, even if the claim they make is sustained, they will not go into the next Legislature and fight any at-The East was the cradle of civilization, | tempt of the people to compel the company to pay its share of the improvements.

The contention of the company is confined to the loss its shareholders and bondholders would suffer were the property sold at its appraised value. If the value was in the property the company would not suffer. The trouble with the promoters of this the men from Pennsylvania, who come here to beguile legislators with wine suppers, If the rights of a private corporation are have a million or more of flat capitalization in their estimate which would have little value in an honest appraisal. If these promoters can maintain their claim to perpetual charter this million or more of fraudulent capitalization could be maintained and the people of Indianapolis would be compelled to make those fictitious values real by paying high fares and the expense The real question involved in Senate Bill of street improvements for which the com pany should pay. By such extortions, that make two or three professional promoters rich at the expense of the people of Indian-

THE STEEL RAIL POOL.

The collapse of the steel rail pool and the temporary impetus which the event has given to trade illustrates the magnitude of the trust evil and the difficulty of dealing with it. We speak of the pool as a trust, for if it was not so in a technical sense it certainly was to all intents and purposes. It was a pool or combination of eleven iron and steel manufacturing companies to keep up the price of steel rails, and, while the legal definition of a trust requires it to be a combination of corporations, a combination of private companies for the same lic interests. The vicious character of the the manufacturers have been making imstraint of trade and for maintaining an artificial price on an important product they would have attacked the steel rail pool er conditions. Meanwhile, the collapse the pool and the fall in the price of steel orders, largely increased production and a generally favorable effect on business. The official, either the attorney general or prosecuting attorney, to attack such a comis inoperative unless it is made somebody's

THE MODEL POLITICIAN.

Abraham Lincoln was a politician, and good one. If there has been a more effective party leader in this country it would ties that he did not fear the rivalry of the for that system in politics which musters and depends upon mediocrity and makes war upon men of ability because they may be dangerous. Lincoln attended the pri nary, the county and other conventions He voted the party ticket. He was never a mugwump. True, he broke away from ing the Republican party because he be elements of the Republican party might have a United States senator, he led his party followers of Whig antecedents to vote for Mr. Trumbull, whose dozen freeone high school," there is a clause which | soil Democrats could not be induced to vote

politician. He was the champion of what he believed to be right within the Constitution. No man hated slavery more than Lincoln, yet he was not an Abolitionist. He believed that the evil could be removed without violating the Constitution. But he frightened his friends when he said, as candidate for United States senator, that the Nation must be either all free or all slave. Before he uttered it he was implored to modify his words, but he would

Abraham Lincoln was not a demagogue. Read his speeches from first to last, and in them cannot be found the oft-made and very stale expression: "I am the friend of the common people," or, "no man has deeper sympathy for the toiling masses than have I." He trusted to the good sense of the people to find out such things. He never arrayed one class against the other. He always spoke to "my countrymen." On the contrary, his influence and his words went to lead all to believe in the mutual dependence of the rich upon the poor and of one section upon another. His unwaverafter the purchase was made. They do not | ing faith in the intelligence and the patriotism of the masses, whom he called the plain, not the common people, inspired him to go to the masses with his cause. He knew them so well that, when President, he knew when to stand still and when to advance. His great power as a leader was because he knew the people better than his

Lincoln was a true politician in that he was always sincere and open. He did not proclaim his honesty because bribe-taking of any kind made him feel that he must convince himself of his integrity by loudly proclaiming it to others. Abraham Lincoln was not a mercenary in politics. He was ambitious, but it was an ambition inspired by his faith in his ability to promote the principles which he believed with a sincerity which made treason or indifference to their success impossible.

It is very doubtful if men can be obtained for directors of the penal, correctional and charitable institutions of the State who will serve without compensation, particularly where their duties involve so much responsibility as to make it expedient to demand that they give bonds of \$10,000 for their faithful discharge. The difficulty is that such officials would regard their duties as perfunctory and permit superintendents and State has been that trustees and directors have had little control over the institutions, adopting without inquiry the suggestions of their subordinates. Some institutions have had directors who have directed, and these are to-day the best in the State. The general supervision of the charitable and penal institutions is now under a State board whose members are not paid, but whose executive officer has a reasonable salary. These officers, however, are not required to visit an management and supervise its affairs, making contracts and attending to business of such importance that each is required to give a \$10,000 bond for the faithful discharge of his duties. The State is trying the experiment of unpaid directors or trustees in several of the charitable institutions. It seems that it would be better to await the result of this trial before putting all the boards on the same basis.

The efforts of the Greeks to throw of engage in active service when he died. The the day before the pool collapsed the price Grecian sympathizer. In fact, he was in Pittsburg was \$25 and in Chicago \$26, personal associate of Byron and of some of the Greek leaders in the insurrection of 1822, of "Hellas." Later on, during this insurrection, sympathy for the Greeks became general, and volunteers appeared from France mense profits for years past. The high rate and Germany, as well as from England and which they were able to maintain on steel | the United States. The cause was one that rails made them an expensive luxury to appealed peculiarly to liberty-loving young railroads, thus retarding track improve- men of all nations, and great numbers of ments and injuring railroad and business them are ready to go to the assistance of interests generally, and while the demand | the Greeks. Popular feeling ran pretty high favor of the Turks. The modern Greeks The Journal is heartily in favor of the it may not have been a trust in the tech- and their hatred of Turkish rule in Crete ply a new phase of the old feud.

Parties interested in street railways in would apply to no other city than Indianhands off and let Indianapolis fight for its ness which they said was none of their business three weeks since?

It can be said with truth that the Legis-

The country does not expect any good Brosius bill, which has already passed the tional banks in places of less than four thousand population, and with as small a of the country where it is sorely needed.

ion from the Senate as now organized. fred Ayres at a recent meeting of "is a man past middle age, who

would be far better to bring the two pro- saved. Abraham Lincoln was not a timid He reads his own poems admirably. It is worth going a long way to hear William Winter read one of his own poems. Nothing have I heard in New York from any of the professionals that is at all to be compared with him; and he does it with very little voice; you have to get near to hear him; but, when you do get near, the more you know about the art of reading the

more you enjoy him.' BUBBLES IN THE AIR.

Delicately Put.

"And how did he die?" asked the lady who had come West to inquire after the husband she had lost. "Er-by request, ma'am," said the gentle,

cowboy, as mildly and regretfully as possi-

Hopelessly Conservative. Wheeler-But look here; it may cost a little to change your tires to a four-inch

width, but then they would benefit the roads instead of harming them, as they do

Mr. J. Hay Seed-Yes; an' then I wouldn't be gettin' my money's worth out o' the

Didn't Fight Fair.

"Yassah," said 'Rastus, "dat niggah sho done me dirt. We done 'greed fer toe fight it out plain fist an' skull, rough an' tumble an' no razzahs an' no guns."

"An' he done pull steel on ye?" "No; but he didn't gimme no faih chance at 'im. Dat niggah went into de fight wiv shin-gyahds under he pants, he did."

Basely Maligned.

"I have good reason to be," said the young man, when they asked him why he was so sad. "You know, I appeared at the Fadley-Smarton ball as a fifteenth century Englishman?"

"And to make sure that I would be correctly reported, I had my office boy send an item to the papers. And he abbreviated it so it came out that I was in the character of a 15-cent Englishman.'

THE

STREET-RAILROAD COMPANY GETS ANOTHER LEGAL OPINION.

General Harrison, as Counsel for the Company, Argues Against the New Measure.

Mr. A. L. Mason, president of the Citizens' Street-railroad Company, has had printed another opinion by General Harrison on the street car bill. It will be distributed in both branches of the Legislature this morning. General Harrison's letter is in answer to a request from Mr. Mason for an opinion on the substitute for Senator New's original bill. Mr. Mason received a reply yesterday, and at once sent it to the printers. General Harrison writes:

"My Dear Sir-Your letter of Feb. 5 was received Friday evening, and I devoted Saturday to a careful consideration of the substitue Senate bill, No. 61. You say that it is stated that the substitute bill was intended to avoid the objections which I pointed out to the original bill. If there is a disposition to consider, in a calm, judicial way, the meaning and operation of this bill, as your statement would seem to ed in 1893, your company would be precise imply, I am quite willing, in that spirit, to | ly as much in their power as if no provision discuss it. I think every disinterested per-

"First-That when a street railway system is constructed in a city, under a limitation of time, honesty-just common honesty-and the public interests as well, require that if the license to use the streets is not to be renewed to that company, some fair method of appraising the value of the tracks and the plant of the company should be provided, and that the 'successor company' should be required to take the property and pay this appraised value. Would any one build a street railway system under a time limit, say thirty years, would any one loan money on the bond of such a comtracks were to be torn up, the rails sold as scrap, and the machinery and cars peddled out? Is it to the public interest that such companies should levy such exactions as will repay the entire cost of the plant with interest every thirty years?

'Second-That, if, as the time limit approaches, the city proposes to sell a franchise for another like period, the old company should not be barred from a fair, equal competition, and that this proceeding should not anticipate the expiration of the time limit of the occupying company by eight years. It has been said that the Citi-Street-railroad Company had a fair opportunity, in 1893, when the City Council advertised for bids for the street railway franchise, to compete with the City Company. That, I submit, is not true. The city was undertaking to let a franchise date from May 1, 1893, to use the streets upon which the Citizens' Company had its tled under the existing ordinance until 1901, This now undisputed right of eight years occupancy (nearly one-fourth of the whole time limit) and use of the tracks under the old ordinance, must have been surrendered if the Citizens' Company became a bidder, "The statement that the franchise offered

in 1893, and taken by the City Company,

was to begin at the expiration of the fran

chise of your company in 1901, is an utter mistake. If it were true it would condemn the whole proceeding, for the letting of a franchise eight years before it could take effect could have or serve no good purpose. There was then no provision of law for asplant of the Citizens' Company. The proposal and attempt of the city was to drive the Citizns' Street-rauroad Company from the streets then, and to force it either to tear up its tracks or to sell them, with the cars and power houses, to the only person in the world who was in a position to use them, namely, the City Company, at such a price as that company might offer. That situation absolutely gave to the City Company the power to fix its own price upon the property of the Citizens' Company, and to bid for a franchise upon the hypothesis that it would acquire a plant at a small fraction of its actual cost. I do not see, in view of these indisputable facts, how any honest-minded, unprejudiced man can affirm that you had an equal chance, or any fair chance, then to compete for a new franchise or license. The question that presents itself now is. Shall there be legislation that confirms the transaction of 1893? Both these bills have that practical effect, and seem to have been framed to that end. If the effect of this bill were to confirm the time limit of your company, and at its expiration to clean off the slate, to begin anew, and to offer an equal and open competition for a new franchise to everybody, and to secure to your company the fair value of your plant, if another company got the franchise, there could have been no argument made against it. But nothing seems to be acceptable that does not conthis unfair and premature contract

with the City Company. Third-That any course of proceeding that provides for, or authorizes, the tearing up of all the street-railway tracks in the city, and the necessary interruption for a time of all street-railway traffic, is absolutely inadmissible "I proceed now to make some comments

on the bill itself. It consists of a single section, in the form of an amendment to Section 12 of the general law for the incorporation of street railways, approved June 4, 1861. The first paragraph of the amendment is general in its nature, and relates to and effects all the cities in the State of Indiana. The amendment consists In requiring the consent of the City Council to the 'operation,' as well as to the 'loeation, survey and construction, of a street railway, before the construction is begun It does not confer upon the cities generally the power to fix a time limit for the operation of street railways, unless that power is to be inferred from the use of the word operation: and the subsequent specific grant of that power to the city of Indianapolis seems to justify the implication that other cities shall not have this power. If the insertion of the word 'operation' confers power to limit the period of operathe power is conferred without limitation; that is, a city council might, under it, grant a franchise to a street-railway for one hundred years. Such would evidently be the effect of a provision conferring upon city councils the general power to fix a time limit, without any restriction in the law as to the maximum

a power upon their city councils. The paragraph of the bill I am discussing, however, says that the consent of the city to the location, construction and operation of a road shall be obtained before the construction is begun. It is probable that this would limit the paragraph to new street-railway organizations, or to the oc-State, other than Indianapolis, they would time limit, they would still be without the power to fix such a limit as to street rail ways now in operation. "In other words, if I am right, as I think

I am, in holding that this legislation can only relate to new construction, the city of Indianapolis, which has taken charge of this bill, leaves all its sister cities to be controlled by the decision of the court in its own pending case, while escaping, or attempting to escape, itself from an adverse decision, by the later provisions of the bill which apply to Indianapolis alone. "The rest of the bill is by its terms limited to the city of Indianapolis. It gives to the occupying company the right to tear up its tracks from the streets. No representative of the people of this city would venture to propose such a thing if he believed that it might occur. It is an intoierable thing. The interruption of traffic by ordinary vehicles on the street, the entire stoppage of street-railway traffic, the annoyance, and perhaps the danger to the public health, involved in the general tearing up of the streets, make such a thing utterly inadmissible, as I have said. It is more than doubtful whether a street-railway company has now the right to tear up tracks which are imbedded in the streets. except for repairs, but this bill expressly confers the power. I am inclined to be lieve, without any careful examination of the question, that a taxpayer of the city could enjoin at law the taking up of the tracks. And this, with all due deference to the framers and promoters of this bill, is the merest pretense of conferring right upon your company; for everybody knows that the materials of which the tracks are composed would sell, when taken up, for little more than-if so much asthe cost of removing them and of repaving

"The provision for appraisement and con demnation should be compulsory. Your company should be compelled to accept it, and the city should be compelled to find a company that would pay it, or to take I itself; or, failing this, to give a new term to the occupying company. "The process provided for an appraise

the streets.

ment in the substitute bill is fairer than the one provided in the original bill. I do not know that there is any fairer method of ascertaining the value of the property than the trial of the question before a jury. But the plan proposed is unequal in its operations, and, therefore, unfair. If the 'suc cessor company' initiated proceedings for an appraisement and an appropriation of your property, your company would be compelled to accept the appraisement

reached "Upon the payment of the appraised value of the property into the clerk's office of the Circuit Court the bill invests the 'successor company' with the title to all your property-if it chooses to take it. No option is left to you; but the 'successor company, after having subjected your company to a very large cost in the trial of the appraisement case, may decline to take the prop-erty. If it were true that this bill provided in such case for a judgment against the lot." He went into the expense of the 'successor company' it would be worthless, plan. He said that the use of machines \$10,000 of subscribed stock which the law requires-out of which to satisfy a judgment for several millions of dollars. It does not even forfeit the charter of the 'successor company' if it refuses to take the property at the appraisement, but only gives the power to the City Council to revoke it. The original bill made it the duty of the Com mon Council to revoke the contract and to proceed to make a new contract, and denied to the defaulting company the right to compete for the new contract. This penalty is much softened towards the City Company in this bill, and if its harmonious relations with the city are not disturbed, it is in a position, after the appraisement, to make an offer for your property, based upon your inability to use it, and upon the fact that no other company is in a position to buy it-for none other is authorized to

use the streets of the city "The proceedings stop right there and the has experimented with a jury as to the value of your property, has been dissatisfied with the result, and concludes that as you can sell to no one else, it can get the property at a less price than the appraised The bill contains no provision for any further proceedings. If the city still stands by the City Railway Company, in the purpose to carry out what was attemptwere made in this bill for an appraisement You have the tracks but cannot use them, and there is but one bidder who can buy and use them, and that is practically con-

fiscation. What I cannot use, and only one other person can, he appraises. "If, as I have suggested, this appraisement is to be in good faith and effective both parties should be compelled to accept its results. Your company is under a compulsion stronger than a million-dollar bond to let the property go at the appraisement for you can make no other use of it except to take it up, and that is to destroy its The other company is under no bond or penalty to accept the appraisement It is not, by this bill, even excluded from competition; its charter is not forfeited, but preserved at the option of the city. But again, suppose the new company should say: 'We will not file a proceeding for appropriation; we prefer to maintain our position of advantage as the only bidder for your property.' The statute does not compel the 'sucessor company' to in itiate such proceedings. But, if it does not the bill says your company may file in the Circuit Court of the county in which said city is located 'a complaint or petition for an appropriation and assessment of dam-

'I think this proceeding is wholly novel and as incongruous as it is novel. We are our own property. It is still in our possession. No action for damages has accrued to us against the City Company. It has expressed no purpose to take our property has taken no steps in that direction. I think in the whole range of litigation nothing can be found like this. You are to make all persons in interest parties to your petition. You would name the City Rallway Company and not the mortgage trustees. You would ask that the property might be appraised and that the City Company might be compelled to take it; and, if the law provided in effective way to force them to take it there might be some support for such a proceeding. But it does not. I can see no reason why the City Company, being made defendant, might not appear, disclaim any interest in the proceedings and go out of court, electing again to trust to the coercion of circumstances, rather than to an the 'successor company' clined to defend, the court would dismiss the whole proceedings. Yes, more than that, I very much doubt whether any court would entertain them in any case, as by the provisions of the law the court is not allowed to proceed in any judgment in the

case. A case that cannot go to judgment is no case—is not judicial proceeding. "I note in conclusion the fact that whereas the former bill limited the power of the city of Indianapolis to grant franchises to street railway companies to thirty years, this bill contains no such limitation, and under it the City Council of Indianapolis would have the power to make a contract for one hunyears; and, if it were made, the authority to make it having been given by the Legislature, the legislative power to amend or repeal could not be made to affect vested that our people, in the long experience they have had with city councils, in connection with the regulation of gas and other companies, have such confidence in that body as to be willing to give it the power to arger franchise than the one claimed by your company in the pending litigation in the United States Courts. Your claim was that the City Council had no right to limit the period of operation, but you have always conceded that there was full power in the Legislature to do so, and to lay any other restrictions or burdens that it might choose. Under this bill the power of the undertaking this has been. Legislature would be gone, and the power of the city, once exercised, would be goneif a city council were induced to grant a hundred-year franchise "In my opinion, the substitute bill is sub-

ject to even graver and more conclusive objections than the original. There are some constitutional objections to the bill, but this letter is already so long that I omit the discussion of them here.

THE GARBAGE CONTRACT Council Committee Wants to Have It Explained.

committee decided to let the matter rest until such time as the ordinance can be thoroughly explained. The committee on public safety and com

ort decided to recommend the ordinance which is to take the place of the present milk ordinance. The new ordinance makes force the regulations. At present some of the regulations are worthless, because they limit. I do not believe the citizens of any The new ordinance cannot be enforced. of our large cities desire to confer so large does not materially change the requirements specified in the old one. The penalty for violating the ordinance was placed at a fine of from \$1 to \$25

Terre Haute Afflicted with Spitters. Yesterday City Clerk Stuckmeyer received a letter from Russell Harrison asking for a copy of the ordinance recently passed by the Council prohibiting spitting yet, so far as my knowledge goes, he is be left precisely where they are now, namethe best reader in New York. That is Willy, if the courts decide that, under the law
he thinks it is a good ordinance and wants
he thinks it is a good ordinance and wants
he thinks it is a good ordinance and wants
by attorneys upon each, side. W. H. H.

other Hammond session after adjournment yesterday and arguments were made
he thinks it is a good ordinance and wants
by attorneys upon each, side. W. H. H.

rison, I did not say at all."

SENATOR HAWKINS HAS A BILL BE-FORE THE COMMITTEE.

It Provides for the Purchase of a Full Machine Outfit, Costing Nearly Half a Million.

VERDICT MEASURE

SENATE COMMITTEE WILL RECOM-

MEND THE WAIR BILL.

Building and Loan Bill in the Senate

-Insurance Legislation-Hearing on Hammond.

There was a meeting of the judiciary

committee of the Senate yesterday after-

noon, at which representatives of the different voting machines were heard. The committee was considering Senator Hawkins's bill, which appropriates \$450,000 for the purchase of voting machines, and Senator Gill's bill, which simply provides that machines may be used in city and town elections. John W. Kern appeared to urge that the bill providing for the purchase of the Turner machines, manufactured by Alexander Turner, of this city, be reported favorably. He said that it was generally conceded that the time was coming when no other than the machine form of voting would be permissible. As to the constitutionality of a law providing for their use, he cited a recent decision by the Supreme Court of Michigan in which it was decided that votes by machine came within the statutory meaning of "voting by balwould reduce the number of voting precincts from 3,120, the present number, to 1,400, or 1,500 at the most. He estimated that it cost the State an average of forty cents a voter for each election, basing the estimate on a voting population of 600,000. It had been shown that it cost from \$40 to \$106 a precinct to hold elections. It would cost about \$30 a precinct to hold elections, or some \$45,000 for the entire State, a saving of \$205,000 a year. In two elections the machines would pay for themselves and after that time make an enormous saving to the State. Mr. Kern explained the features of the bill. It provides that the coun-

secretary of state and procure the voting machines, just as they now come for balots. After elections the machines are to be returned. There are the usual provisions for making returns, as under the present law, many of the provisions of which are to remain unchanged. Mr. Kern was listened to with close attention, and, from the questions asked, it is evident that nany of the members of the committee believe that it is only a matter of time until machines are adopted Merrill Moores appeared to represent Mr. lummings, the proprietor of another sort of machine. He urged that it would be unwise for the committee to recommend a bill providing for the purchase of a certain machine to the exclusion of all others. He said that the men he represented were not asking anything so unreasonable. They were simply asking that a law be passed ermitting city and town elections to be eld with voting machines, so that they might be tested and given a fair trial. deas, as well as those presented by agent of another machine, who urged competition should not be shut off and that the committee ought not to enter into such an expensive undertaking until after ex-

ty clerks shall come to the office of the

amining the merits of the different machines more fully, seemed to meet with the approval of the committee. It is not likely that a bill will be passed equiring the state elections to be held machines at the present session of the Legislature. The committee seems to hink that it would be unsafe to provide for such an expenditure in the present undeveloped state of the voting-machine idea. One of the agents present yesterday said that there were but six machines known. All of them claimed everything in sight, however, when it came to urging the mer-

ts of their machines. It is likely that a bill will be recommended providing that town and city elections may be conducted with voting machines, without limiting the city to any

BUILDING AND LOAN.

Senate Committee Preparing to Re-

port the Bill Soon. The Senate committee has drafted a duced the next day or two. The committee took as a ground work the provisions of Senator McCord's bill. A section or two were added to it and some of the sections amended somewhat. As a whole the bill is practically the same as that the House committee has agreed on and which was published in full yesterday. Senator Mcthe judge became suddenly ill and had to adjourn court until this morning. Senator McCord was here last night and attended a meeting of the committee. Chairman La Follette has deferred making a report until Senator McCord could be present for a final committee conference. He will have

to be absent to-day, but will get back to-The individual members of the committee have worked hard on the bill and have had a number of conferences with the The McCord bill. House committee. amended, will, it is believed, remedy the crying evils that exist in building and loan association affairs without in any way imperiling the investments. There does not seem to be any likelihood of any bill passing that will abolish the state associations, Senator La Follette, chairman of the committee, spoke earnestly against such a bill such a law would throw a great number of associations into the hands of receivers and destroy the savings of thousands of men of modest means. His ideas seem to be shared by a majority of the senators, at the evils, protect the stockholders time do nothing to inju vency of the association. Only th mbers of the committee realize fully nat an

SPECIAL VERBICT LAW.

The Senate judiciary committee has de-

Senate Committee Likely to Recommend the House Bill.

repealing the special verdict law, No. 108, House Bill 44 (Mr. Wair), which passed the House last Friday. Senator Wood said amendments to Mr. Wair's bill might be recommended by the committee. It was discussed at a meeting held after adjournment, but from the expressions made then it is not likely that any amendments will be suggested. There will be two reports on the bill, the majority favoring its inits passage. Senator Shively, a member of the committee, said last night that he had no doubt that the bill would pass the Senate. He said that there had been a change of sentiment on it since the subject has been more fully discussed. This has been one of the bills against which there was a good deal of opposition, principally from the railroad looby, although the manufacturing interests were also against it. Strong arguments for its were made by a committee consisting of ex-Judge L. C. Walker, James E. McCullough and Senator Hugg, representing the Indianapolis Bar Association. that time several members of the committee were open in their determination to

ANOTHER HAMMOND SESSION.

More Arguments Before the Judiciary Committee of the House.

listen to the manufacturers.

The House judiciary committee held an-Hammond session after adjourn-

in the course of his speech. ferred to a story published in a morning paper intimating that his client, Mr. Forsythe, had offered the paper or one of its reporters money to further the bill, "If I believed a word of it," said Mr. Miller, "it would preclude the possibility of my coming here in this case. I should certainly not appear before you in behalf of any one who was using such tactics.' The committee held an executive session after the arguments were made. There is such a conflict of claims that Messrs. Hart, Lambert and Wair were appointed a subcommittee to inquire into the true state of affairs and report.

Benevolent Institutions.

Chairman Collett, of the Senate committee on benevolent institutions, said yesterday that it would be several days before the report of the committee's investigation of the various benevolent institutions of the State would be presented to the Senate. All the benevolent institutions were visited, including the State Home for Soldiers' and Sailors' Orphans at Knightstown, the State Institution for Feeble Minded, etc.

Senate Insurance Committee. Chairman La Follette, of the Senate insurance committee, says that it is likely that the committee will pursue about the same course as the House with reference to the Commercial Club fire insurance bills.

be held, as it is getting too far along in Fees and Salaries.

Chairman Wood, of the Senate fee and

salary committee, said yesterday that it

A report will be submitted within a very

few days. No more public meetings will

was likely a joint meeting of the Senate and House committees would be held this evening to consider the Hawkins fee and salary bill, which revises the entire law on this subject.

COLORED PEOPLE PETITION THE LEGISLATURE TO PASS IT.

Mass Meeting Last Night at Herculean Club Attended by Representative Colored People.

A mass meeting of colored people was held last night at the rooms of the Hercuean Club on Indiana avenue to consider the bill introduced by Representative Jones repealing the law that provides for separate schools for colored and white children. The rooms of the club were comfortably filled with representative colored people, who without exception favored the passage of

There were short talks by nearly every one present and some talks of considerable length. Dr. S. A. Elbert spoke at length in favor of the bill. He said that the people of the North look with horror upon the "Jim Crow" cars in the South provided for the use of colored people and call it an outrage, yet here in Indiana "Jim Crow" schools are provided for the colored people and it is a matter of another color and is

"I am willing that my children shall go into the race for preference in this world." continued Dr. Elbert, "and fight their own battles without any legislation for their especial benefit, and then they can succeed or fail as their qualities will permit, but I do not think it is just that we should be compelled to enter the race handicaped by laws. It is a disgrace to the people, a disgrace to the State of Indiana and a disgrace to humanity."

James Williams said the only plea he had heard from colored people against the bill is that it will throw the colored teachers out of employment. He characterized that as a mean and vulgar plea-a plea for a few against the masses. He would not admit that it would throw out all of the colored teachers, but said he would favor the bill if it should displace 10,000 colored teachers. The rights of the helpless children, he said, are too sacred to be lightly thrown aside for the sake of a few paitry dollars that some members of the race might receive for teaching

Isadore Blair said he favored the object

ought to be accomplished by the bill, but

did not think the bill would do what it was intended it should. He called attention to the fact that the bill provides no penalty for its violation, and therefore any school superintendent or trustee could violate it with impunity and have no fear of the conpeople should not stop with the one bill for the betterment of their condition, but the intermarriage of the races repealed. He did not dwell much upon this subject, but mentioned it as one of several laws which he said discriminate against colored people. Gabriel Jones, the author of the bill under discussion, replied to the attacks of Blair, He said the bill is all right without a penalty clause. He did not think it necessary that there should be a penalty clause and thought the law could be enforced without it. In regard to the laws prohibiting intermarriage he said: "I do not want that law repealed and I do not think many of those here do." At this a man in the audience "I am very well satisfied with my wife, and never want a white woman for a wife." Representative Jones then continued: "I know you do not, and I think I am right when I say that a colored man who wants to marry a white woman either has extremely high aspirations or very low assuch marriages are with white women who have been cast off by their own people as unfit for their association The meeting adopted the following memo-

rial to the Legislature: We appeal to the members of the Legislature to push Representative Jones's bill for the abolition of discrimination against colored children in the public schools the State. We represent the colored people of this community are overwhelmingly in favor of this measure; that the preachers who passed resolutions against the measure are strangers in this city, and that they in no sense represent the sentiments of their congregations or of the people of this community; that Indiana alone of the Northern States keeps up this discrimination against colored children; that we ask for no special or class legislation, but simply that the class legislation on our statute books be removed; that this measure simply seeks to abolish the cruel and inhuman practice now in vogue in this city of compelling colored children living within a stone's threw of a schoolhouse to

walk long distances to reach a so-called colored school. The question of the employment of colored teachers has no connection with the legislation-the schools are for the children. Our only concern about teachers is that the best only may be employed-the opposition to this measure on the part of any colored people comes only from those interested in the employment of certain teachers, but the number is so small and their motive so apparent that no attention

should be paid to their claims "We assure the members of the Legislature that we know the sentiments of the colored people of this community and of the State. They are intensely interested in this measure, and as a matter of simple we feel assured justice ask its passage. that the best people, white and black, throughout the State favor his measure, which simply gives every child in he State under the laws an equal chance in the race of life. The great Anglo-Saxon race, so proud of its wonderful as hievements, need not hobble any people in order to hold its

own in the race of life. HIGGINS A CANDIDATE

Indiana Republican League Meeting To-Bay.

The annual meeting of the Indiana

publican League will be held to-day, at 1 the election of officers and other routine pected that Governor Mount will address the public meeting. J. S. Dodge and M. M. Dunlap will also make short addresses. President A. M. Higgins, of Terre Haute, will be a candidate for re-election. Secretary J. J. Higgins will not be a candidate. President Higgins, of the league, was in

E. E. Neal. of Noblesville, has announced that he will be a candidate for secretary. the city yesterday for the first time since lication of an alleged interview with him that was telegraphed from New York some weeks ago. In speaking of it to a Journal reporter he said: "While there were some things in the first few para-